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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/590,763 | 08/24/2006 | Chan Hyuk Chyun | 31132/42274 | 2508 |
| 4743 7590 10/14/2008 MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606 | | | | |
| EXAMINER | | | | |
| ARK, DARREN W | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3643 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 10/14/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/590,763

Applicant(s)

CHYUN, CHAN HYUK

Examiner

Darren W. Ark

Art Unit

3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-25 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF 298)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Group A - type of cockroach trap:

Species I - Figs. 2-5;

Species II - Fig. 6 (plate 200 more subsided by h3 and is formed thicker, gently inclined plane at end of slant);

Species III - Figs. 7, 8 (protruding part 630 comprising strips 632);

Species IV - Fig. 33 (cover 600 rotatably connected to slant 230 with rotatable parts 230A, 600A, pushing bar 610, and removing bar 620);

Species V - Figs. 9-12 (slant 230, sensors 240A & 240B, data processor 270, case 260);

Species VI - Fig. 13 (plate 200 is subsided at center and inclined at the end in comparison to Fig. 12);

Species VII - Figs. 14, 15 (sensors 240A & 240B, protruding part 630).

If applicant elects one of Species V-VII from Group A above, then applicant must further elect one of the following species below from Group B.

Group B - type of remote monitoring system:

Species i - Figs. 17-28 (central control unit 740 receives and analyzes pest-related information transmitted from remote control unit 750);

Species ii - Figs. 29, 30 (central control unit 740 re-transmits analysis result of pest-related information to users of each building 710, 720, 730 and/or to service technician via mobile communication terminal 70 such as PDA or mobile phone); and

Species iii - Figs. 31, 32 (pest-related information directly transmitted from remote control unit 750 to mobile communication terminal 70).

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

2. The claims are deemed to correspond to the species listed above in the following manner:

Species I - claims 1-7, 25;
Species II - claims 1-9, 25;
Species III - claims 15-21;
Species IV - claims 1-7, 25;
Species V - claims 1-7, 10-14, 25;
Species VI - claims 1-14, 25;
Species VII - claims 15-21, 23, 24;
Species V with Species i - claims 1-7, 10-14, 25;
Species V with Species ii - claims 1-7, 10-14, 25;
Species V with Species iii - claims 1-7, 10-14, 25;
Species VI with Species i - claims 1-14, 25;
Species VI with Species ii - claims 1-14, 25;
Species VI with Species iii - claims 1-14, 25;
Species VII with Species i - claims 15-21, 23, 24;
Species VII with Species ii - claims 15-21, 23, 24; and
Species VII with Species iii - claims 15-21, 23, 24.

Claim 21 does not correspond with any of the above Species since there is no trap disclosed that has a protruding part with an inclined plane (it is only disclosed that the trap have either an inclined plane or a protruding part, but not both structures).

The following claim(s) are generic: none.

3. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: for example Species I requires an inclined plane, a less subsided portion of the plate, a cover disposed on supporters, and no sensors not required in Species II-VII; Species VI with Species ii requires a plate that is more subsided at center, has gently inclined plane at the end slant, and a remote monitoring system wherein central control unit 740 re-transmits analysis result of pest-related information to users of each building 710, 720, 730 and/or to service technician via mobile communication terminal 70 such as PDA or mobile phone not required in Species I-Species IV with Species i or Species VI with Species iii-Species VII with Species iii.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Ark whose telephone number is (571) 272-6885. The examiner can normally be reached on M-F, 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Darren W. Ark/
Darren W. Ark
Primary Examiner
Art Unit 3643

DWA